United Nations A/HRC/26/NGO/76

General Assembly

Distr.: General
6 June 2014

English only

Human Rights Council
Twenty-sixth session
Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by Reporters Sans Frontiers International - Reporters Without Borders International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-04512 (E)
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PERSECUTIONS IN BAHRAIN MUST STOP*

In the three years since the start of a popular uprising, the kingdom's authorities have crushed demonstrations calling for political reforms and have targeted journalists and other newsproviders covering the movement and the methods used by the security forces to suppress it.

The Bahraini authorities continue to obstruct the work of journalists and to threaten, harass, arrest, prosecute and abuse news providers in violation of their international commitments to the UN Human Rights Council in 2012.

Many Bahraini newsproviders receive long prison sentences, far from the international community's cameras and attention, while the authorities continue to crack down on freedom of information and its actors. It is time for the persecution and sham trials end.

Eight individual news providers currently detained

- Arrested in 2011, Hassan Ma'atooq received a three-year jail sentence from a national security court for posting photos of people who were injured during major protests in February 2011.

- The blogger and head of the human rights bureau of the Al-Haq Movement for Civil Liberties and Democracy, Abduljalil Al-Singace has been held since March 2011 and is now serving a sentence of life imprisonment that a high court of appeal upheld on September 4, 2012. He is one of 13 opposition leaders and activists convicted of *"creating and running a terrorist group aimed at changing the constitution and system of monarchy (...) by force," "being in contact with a foreign terrorist group that acts in the interests of a foreign country and carries out hostile actions against Bahrain,"* and *"raising funds for this group."*

- The well-known photographer Ahmed Humaidan was arrested on December 29, 2012 on a charge of attacking a police station in Sitra on April 8, 2012, although he was not there that day. His trial began on February 12, 2013 but the prosecution continued to postpone his hearings due to difficulties in producing witnesses. His lawyer's repeated requests for an independent investigation into allegations of torture were unsuccessful. His requests to prison authorities to allow Humaidan to be examined by a doctor likewise failed. Humaidan was sentenced to 10 years in prison on March 26, 2014.

- Arrested in July 2013, the photographer Hussain Hubail was charged on August 21 with *"managing (electronic) accounts calling for the government's overthrow," "promoting and inciting hatred against the government," "inciting others to disobey the law,"* and calling for illegal demonstrations. He was also accused of *"contributing to the Twitter account of the February 14 media network."* According to witness accounts, he has been mistreated and even tortured. He was given a five-year jail sentence on April 28, 2014. He filed an appeal, on which a court is due to issue a ruling on June 22.

- Arrested at his home by masked plainclothesmen on July 31, 2013, the blogger Jassim Al-Nuaimi was accused of using social media to incite anti-government hatred and to call for illegal demonstrations. After being held for several days at the General Directorate of the Criminal Investigation Department (CID), he was transferred to Dry Dock prison on August 3, only to be transferred back to the CID and then forced to sign a confession before a prosecutor. Witnesses said he had been tortured or mistreated. A hearing scheduled for February 16 was postponed until March 16. Like Hubail, he was given a five-year jail sentence on April 28, 2014 and, like Hubail, he filed an appeal, on which a court is due to issue a ruling on June 22.

- The freelance cameraman Qassim Zain Al-Deen, who was arrested at his home on August 2, 2013 in the run-up to the "Tamarod" demonstrations in mid-August, was sentenced in December to three months in prison on a charge of participating in an illegal demonstration. He was sentenced to an additional six months in prison on January 15, 2014 on another charge of participating in an illegal demonstration and a charge of "vandalism." He is also being tried for "vandalism" inside the prison where he is being held but the judgment of the court

has been repeatedly postponed.

- The photographer Sayed Ahmed Al-Mousawi was arrested on February 10, 2014. According to the information obtained by RWB, he was mistreated while held by the CID. He is now in Dry Dock prison. He was charged with providing telephone SIM cards to alleged "terrorists" and with taking pictures of demonstrations.

- Arrested on at his home January 7, 2014, the blogger Ali Maaraj was sentenced to 30 months in prison on April 8 on charges of "*insulting the king*" and "*improper handling of information technology*." Maaraj posted articles critical of Bahrain's monarchy on the *Luluwa Awel* blog. He also posted reports and other information about Bahrain's anti-government demonstrations. The prosecutor said "*he intentionally caused trouble to other people as a result of improper handling of information technology*." For these charges he was given six months in prison and two additional years for "*insulting the king*." No defense witnesses were allowed to testify at the trial, which lasted for only three hearings, despite the severity of the sentence.

Some newsproviders have continued to be the target of prosecution after their release. The blogger Mohamed Hassan was released a few weeks after being arrested but continues to face charges of "*managing (electronic) accounts calling for the government's overthrow,*" promoting and inciting hatred against the government, inciting others to disobey the law, and calling for illegal demonstrations.

More recently, the well-known photojournalist Ahmed Al-Fardan was held in arbitrary detention from December 26 to January 9, 2014. Although he has since been released, he is still charged with "*trying to participate in an illegal gathering*." He was summoned to appear before a judge on May 12 and has received another summons for May 26.

Newsproviders killed, tortured and mistreated with impunity

Many newsproviders have reported being mistreated during detention. These claims should be investigated by independent actors. Investigations to this point have failed to demonstrate any impartiality and have resulted in the withdrawal of all charges, acquittals or derisory prison sentences. The journalists who have been victims of such denial of justice include Nazeeha Saeed, a reporter for *France 24* and *Monte-Carlo Doualiya*. Although Nazeeha presented overwhelming evidence demonstrating the defendant's guilt, the policewoman accused of torturing Nazeeha during her detention in 2011 was acquitted on appeal on June 23, 2013.

Impunity reigns. No independent investigation has been conducted into the death of 22-year-old cameraman Ahmed Ismail Hussain on March 31, 2012. Hussain was fatally shot while covering a peaceful demonstration in Salmabad. After Karim Fakhrawi, co-founder of the only opposition newspaper, *Al-Wasat*, died in detention in April 2011, two policemen were initially sentenced to seven years in prison for torturing him to death, but their jail terms were reduced to three years on appeal on October 27, 2013.

The netizen Zakariya Rashid Hassan, administrator of a now-closed online forum that provided information about his home village of Al-Dair, died in detention on April 9, 2011. His death came seven days after his arrest on charges of inciting hatred, disseminating false news, promoting sectarianism and calling for the Government's overthrow in online forums. Although his family rejected the official explanation, the Interior Ministry claimed that his death was a result of sickle cell anemia complications.

Information control

Bahraini authorities intend to control the media. Six of the seven daily newspapers are controlled by associates of the royal family or government hence compromising their independence and impartiality and leading to a wide-spread practice of self censorship by independent newspapers.

The Information Affairs Agency, created in 2002, was used to restrict media freedom during the 2011 unrest. It was responsible for *Al-Wasat* newspaper's closure for several months and the prosecution of its editor, Mansoor Al-Jamri. It is empowered to censor or prevent the distribution of Bahraini publications, to close newspapers by means of judicial

proceedings, and to block websites. Such expansive power over the various media outlets by a government agency is a serious threat to freedom of information.

The government has been promising a new media law since 2012 that would ostensibly be more progressive. Its architect is the current Information Minister. However, this new law has yet to be adopted by the parliament and its contents have not been made public.

The Bahraini authorities must:

- Release all newsproviders who are currently detained due to their journalistic activities or on spurious grounds;
- Systematically conduct independent investigations into all allegations of torture or mistreatment in detention;
- Investigate all deaths of newsproviders while in detention or while carrying out journalistic activities;
- Guarantee effective independence of state and privately-owned media; and,
- Guarantee foreign journalists unfettered access to the Kingdom of Bahrain.

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* Americans for Democracy and Human Rights in Bahrain,The Bahrain Center for Human Rights, The Bahrain Institute for Rights and Democracy, The Bahrain Youth Society for Human Rights, PEN International without consultative status, also share the views expressed in this statement (to condemn the decline of freedom of information in the Kingdom of Bahrain).